

Status Update on Title 14 and 27 Rulemaking

March 18, 2013

Cal/EPA Building, Room 550
1001 I Street
Sacramento, CA

Agenda

1. Introductions
2. Meeting Purpose/Objectives
3. Key Revisions to Initial Discussion Draft Text
 - Compostable Material Handling Regulations
 - In-Vessel Digestion Regulations
4. Odor Concept
5. Question and Answers
6. Next Steps
7. Adjourn

Purpose of Meeting/Objectives

Provide an overview of changes to initial discussion draft text incorporated into current proposed informal draft text

- Will not cover all changes - just those of greatest interest
- Additional text review will be provided through Q&A on all aspects of text

Review next steps of informal regulatory process

Compostable Material Handling Regulations

Compostable Material Handling Regulatory Tiers

Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
Agricultural material derived from an agricultural site and returned to the same site	Agricultural Material Composting Operations (all)	Green/Vegetative Food Material Facilities (< 12,500 yd³)	Composting Facilities (all) (e.g. biosolids, food material, mixed solid waste)
Vermicomposting	Green Material Composting Operations (< 12,500 yd³)		Green Material Composting Facilities (> 12,500 yd³)
Mushroom farming	Biosolids Composting Operations at POTWs (all)		Green/Vegetative Food Material Facilities (> 12,500 yd³)
Small-scale composting	Research Composting Operations		
Refer to Section 17855 for complete list	Chipping and Grinding Operations (< 200 tpd)		Chipping and Grinding Facilities (> 500 tpd)
		Chipping and Grinding Facilities (200 tpd < x < 500 tpd)	

Digestate (§ 17852(a)(13.5))

Definition added to Compostable Materials regulations

Receipt of digestate for aerobic composting will required a Compostable Materials Handling Permit

Ties in with in-vessel digestion regulations

(§ 17896.54(a)(2))

Land Application ((§ 17852 (a) (24.5))

Any land, including Ag land

- Meet physical contaminants, metals concentration, pathogen density requirements
- One application per year, not to exceed 12” total accumulated depth
 - EA, in consultation with RWQCB, can approve alternative depth, application frequency

Ag land only

- meet physical contaminants
- Finding from CDFA that the use is agronomically beneficial

Chipped & Ground Material

Chipped and ground material must meet land application requirements of § 17852(a)(24.5)

Small-Scale Composting Exclusion

(§ 17855(a)(4)(C))

All small-scale composting exclusions combined

- $< 500 \text{ yd}^3$ w/ $< 20\%$ food
- Within-vessel $< 50 \text{ yd}^3$
- Schools/community gardens

Use of non-regulatory notes for additional clarity

Chromium (§ 17868.2)

Remains in the list of metals but with no maximum concentration limit

Testing and recording keeping still applies

In-Vessel Digestion Regulations

Combination of Transfer Processing and
Compostable Material Handling

In-Vessel Digestion Regulatory Tiers

<u>Excluded Tier</u>	<u>Enforcement Agency Notification Tier</u>	<u>Registration Permit Tier</u>	<u>Full Solid Waste Facility Permit</u>
<u>Anaerobically digestible materials at POTWs</u> § 17896.5(a)(1)	<u>Research in-vessel digestion operations</u> § 17896.6	<u>Medium Volume In-Vessel Digestion Facility</u> § 17896.9	<u>Large Volume In-Vessel Digestion Facility</u> § 17896.10
<u>Ag material derived from ag site & returned to same site</u> § 17896.5(a)(2)	<u>In-Vessel Dairy Digestion Operations</u> § 17896.7		
<u>In-vessel digestion activities with less than 50 cubic yard on-site capacity</u> § 17896.5(a)(3)	<u>Limited Volume In-Vessel Digestion Operation</u> § 17896.8		
<u>Handling activities that are already subject to more stringent handling requirements under Federal or State law</u> § 17896.5(a)(4)			

POTW Co-digestion Exclusion (§ 17896.5(a)(1))

clarified two eligibility conditions

Material must be:

- trucked or hauled in
- pumped or directly off-loaded into a covered, leak-proof container
- pumped to the digester

Material may be screened, otherwise separated or treated prior to digestion in an enclosed system

POTW Co-digestion Exclusion (§ 17896.5(a)(1))

POTW must:

- develop Standard Operating Procedures (SOPs)
- notify RWQCB they are implementing SOPs

Standard Provision to be added to WDRs or
NPDES permit no later than next permit renewal

In-Vessel Dairy Digester Operation

Definition (§ 17896.2(a)(11))

Located at a dairy, with WDRs that address co-digestion of manure with imported solid waste

Placement in EA Notification Tier (§ 17896.7)

- Monthly inspections for at least initial 12 months of operation
- Quarterly inspections for 2nd year of operation (minimum)
- EA, with CalRecycle concurrence, may approve annual inspection thereafter

Digestate Handling (§ 17896.54(a)(2))

On-site aerobic composting only at a Large
Volume In-vessel Digestion Facility

Ties in with compostable materials regulations
(§ 17852(a)(13.5))

Odor Concept

Oct. 2012 Initial Discussion Draft Concept
received mixed reviews

CalRecycle revised the concept

Revised Odor Concept designed to supply
reliable data beyond what is required in current
OIMP process (§ 17863.4)

Existing OIMP

- OIMP is being followed, but odor impacts still occurring
- EA may issue a N&O requiring operator to take additional measures to minimize odors

Revised Odor Concept

- OIMP is being followed, but **EA determines** odor impacts still occurring **through new odor complaint procedure** (part of EPP) (§18077(a)(14)),
- EA may issue a Notice & Order requiring operator to take additional reasonable & feasible measures to minimize odors **only after considering the results of a Best Management Practices Feasibility Report** (§17863.4(f)) – with 3 exceptions

BMP Feasibility Report (§17863.4.1.)

Submitted per EA direction or voluntarily

Report includes:

Data on potential on-site odor sources, including odor severity, characteristics, time and weather conditions

- identification & ranking of on-site odor sources
- list & analysis of BMPs used (using CCORP as a guideline)
- list & analysis of other potential BMPs
- plan & implementation schedule for recommended BMPs

Operator submits plan to EA and CalRecycle for review

EA, in consultation with CalRecycle:

- requests specific changes or additional information (via resubmittal), or
- approves plan in whole or in part, and directs operator to implement plan through
 - OIMP revision, or
 - Notice & Order

Question & Answers

Next Steps

Information on the Rulemaking Process

Compostable Materials, Transfer/Processing Rulemaking

<http://www.calrecycle.ca.gov/Laws/Rulemaking/Compost/default.htm>

**CalRecycle Compostable Materials, Transfer/Processing Rulemaking
Listserv**

<http://www.calrecycle.ca.gov/Listservs/>

Send Written Comments to: compost.transfer.regs@calrecycle.ca.gov

Staff contact: Ken Decio at (916) 341-6313 or Ken.Decio@CalRecycle.ca.gov

Adjourn